THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.25130 OF 2005

DATED:25.11.2005

Between:

P. Satya Narayana …Petitioner

And

The District Panchayat Officer

Khammam

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.25130 of 2005

ORDER:

The petitioner is Sarpanch of Yarrabowenapally Village, Kallur Mandal, Khammam District. By the impugned order dt.11.7.2005, the respondent while issuing show cause notice as to why the powers of the Sarpanch to draw money by way of cheque should not be withdrawn under Rule 42(1) of the Rules promulgated by the Government of Andhra Pradesh in G.O.Ms.No.30, dt.20.1.1995 pending further consideration of the matter, the respondent requested the Sub-Treasury Officer, and the Branch Manager, State Bank of Hyderabad, Sattupalli, not to honour the cheques issued by the petitioner. The petitioner submitted explanation to the show cause notice/order impugned in the Writ Petition. Even before any orders could be passed, present Writ Petition is filed.

The impugned order is by way of interim measure pending final orders under Rule 42(1) of the Rules. It is submitted by the learned counsel for the petitioner that after receiving the impugned show cause notice/order, the petitioner submitted explanation on 17.8.2005, but no orders are passed by the respondent. Therefore, instead of keeping the Writ Petition pending, the same is disposed of directing the respondent to consider the representation/explanation of the petitioner dt.17.8.2005 and pass appropriate orders within a period of one week from the date of receipt of a copy of this order.

The learned counsel for the petitioner strenuously contended to restore the powers of the petitioner to draw the funds. A reading of the impugned order would show that serious allegations of misappropriation are made against the petitioner and therefore this Court is not inclined to pass any orders.

The Writ Petition with the above observations and directions is accordingly dismissed.

25.11.2005 (V.V.S.RAO, J)

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